

so that the phrase reads "can be seen when viewed under UV.....". Also, claims 17, 21, 28 and 32 have been amended to clearly set forth that the second indicia is not capable of being scanned for reproduction.

In view of the foregoing applicant respectfully submits that the objections are no longer applicable.

The Examiner in paragraph 19 has rejected claims 12-22 under 135 USC § 103 as being unpatentable over Gilmore et al. (5,943,432) for the reasons set forth therein.

The Gilmore et al. reference is directed to a coded postal stamp which carries a machine readable indicia representative of a minimal postal denomination. Thus, the purpose of the colored or UV ink is simply to allow machine reading of a particular amount. As the Examiner has acknowledged in the present invention, the ink be not visible under normal viewing conditions. This is not taught or suggested by Gilmore et al. Additionally, Gilmore et al does not provide indication that it is a limited edition stamp, nor does it teach or suggest that this indicia, when scanned will allow reproduction.

The present invention is directed to a very particular type of stamp (i.e. a limited edition stamp) which is designed such that it can be authenticated and the risk of counterfeiting is minimized. The particular structural feature of the indicia is important to the present invention. In particular, it is important that the indicia not be visible under normal viewing conditions. This structural feature is not taught or suggested by the prior art. Gilmore et al. is only interested in providing a machine readable code of a particular denomination, indicia for such purpose.

The Examiner cites *In re Gulack* 217 USPQ 401 (CAFC 1983), in support of the position that printed matter when not functional will not distinguish invention from prior art. In this regard, applicants have clearly shown that the indicia provides several structural functions. First, the indicia of the present invention is designed not to be viewed under normal viewing conditions. Secondly, the indicia is also provided to provide identification that it is a limited edition stamp is a particular number of a predetermined number. Further it also provides a structural feature in not allowing the stamp to be easily reproduced.

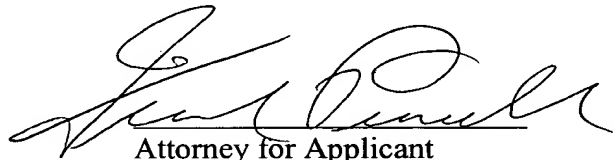
Clearly, the indicia of the present invention provides structural features which defines and distinguishes the present invention from the prior art.

The statement made by the Examiner that there appears to be no new or unobvious structural relationship between the printer matter and substrate is incorrect. The indicia of the present invention provides specific structural relationship not taught or suggested by Gilmore et al. or any of the other references cited.

The Examiner in paragraph 20, rejected claims 23-33 under 135 USC § 103 as being unpatentable over Brasington et al. (5,923,406) in view of Gilmore et al. Claims 23-33 are dependent claims which depend at least ultimately upon independent claim 12 and therefore are patentably distinct for the same reasons previously discussed. The Brasington et al. reference does not teach anything which would render the present invention obvious.

In view of the foregoing applicant respectfully submits that the claims in the present form are in condition for allowance and such action is respectfully requested.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Frank Pincelli', written over a horizontal line.

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